

BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
WASHINGTON, D.C.

DEPT. OF TRANSPORTATION  
DOCKETS

2007 OCT 11 P 2:15

Application of

AEROVIAS DE MEXICO, S.A. DE C.V.

for Renewal of an Exemption from  
49 U.S.C. § 41301. (Blanket U.S.-Mexico Beyond  
Gateways, for Code-Sharing Services)

Docket OST-97-3289

APPLICATION OF  
AEROVIAS DE MEXICO, S.A. DE C.V.  
FOR RENEWAL OF EXEMPTION AUTHORITY

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**NOTICE: Any person may support or oppose this application by filing an answer and serving a copy of the answer on counsel for Aerovias de Mexico, S.A. de C.V., and upon persons served with this application no later than October 25, 2007.**

DATED: October 10, 2007

BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
WASHINGTON, D.C.

Application of

AEROVIAS DE MEXICO, S.A. DE C.V.

for Renewal of an Exemption from  
49 U.S.C. § 41301. (Blanket U.S.-Mexico Beyond  
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Docket OST-97-3289  
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APPLICATION OF  
AEROVIAS DE MEXICO, S.A. DE C.V.  
FOR RENEWAL OF EXEMPTION AUTHORITY

Pursuant to 49 U.S.C. 40109(c), Aerovias de Mexico, S.A. de C.V.

("Aeromexico") respectfully requests renewal of the exemption authority last renewed by Notice of Action Taken dated November 6, 2006, permitting it to engage in foreign air transportation of persons, property and mail between points in Mexico and points within the United States beyond Aeromexico's authorized U.S. gateway points for transborder services, for the purpose of blind-sector code-sharing services operated between the U.S. gateway points and other points in the U.S. on services operated by either Aeromexico, Delta Air Lines, Inc., or the Delta Connection carriers (Atlantic Southeast Airlines, Inc., and Comair, Inc.) The exemption authority currently is set to expire November 6, 2007. By this application, Aeromexico intends to invoke the automatic extension provisions of 5 U.S.C. § 558(c) and Part 377 of the Department's Special Regulations. The renewal is requested for one year. In support of this application, Aeromexico states as follows:

1. Aeromexico is a flag carrier of the United Mexican States and currently holds a foreign air carrier permit, which authorizes service between Mexico and numerous U.S. points. Order 91-5-25. Pursuant to its permit and various exemption authorities, Aeromexico provides extensive service between Mexico and the United States.

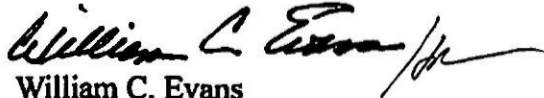
2. By this application, Aeromexico seeks renewal of its exemption authority to provide service between points in Mexico and points in the U.S. beyond its gateways via its code share agreement with Delta Air Lines, Inc. ("Delta"). The authority was last renewed by Notice of Action Taken, dated November 6, 2006, and currently is set to expire on November 6, 2007. Utilizing the blanket exemption authority and the blanket code share authorization issued to Delta, and the Delta Connection carriers, Aeromexico is providing valuable single carrier service between Mexico and numerous U.S. communities via its U.S. gateways. The services clearly provide significant benefits to Mexico and U.S. travelers, and Aeromexico seeks renewal of the blanket exemption so it can continue to provide these services in the future.

3. Renewal of the exemption authority is consistent with the 1960 Mexico-U.S. air transport agreement, as amended, and with the policies of the Department as set forth in Order 99-6-6. Aeromexico continues to hold authority from the DGAC to serve beyond U.S. gateway points.

4. Given the fact that the exemption is consistent with Department policy and prior Department decisions, and the fact that the exemption will only be effective for one year, the request is limited in scope and should be noncontroversial. Moreover, grant of this application is warranted because of the significant service benefits being provided in this transborder market.

WHEREFORE, Aerovias de Mexico, S.A. de C.V. respectfully requests that the Department grant the exemption sought herein.

Respectfully submitted,



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DATED: October 10, 2007

Counsel for Aerovias de Mexico, S.A. de C.V.

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 10th day of October, 2007 caused a copy of the foregoing Application of Aerovias de Mexico, S.A. de C.V. to be served by electronic mail upon those persons on the attached list.

  
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